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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

BRETT THOMAS, )  
 )  
Plaintiff, )  
 )  
v. ) Case No.  
 )  
CONVERGENT OUTSOURCING, INC., )  
 )  
Defendant. )

**PLAINTIFF’S COMPLAINT**

Plaintiff, BRETT THOMAS (“Plaintiff”), through his attorney, SHARON D. COUSINEAU, alleges the following against Defendant, CONVERGENT OUTSOURCING, INC., (“Defendant”):

**INTRODUCTION**

1. Count I of Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act 15 U.S.C. 1692, et seq. (“FDCPA”).

## JURISDICTION AND VENUE

2. This Court has jurisdiction under 28 U.S.C. §§1331, 1337, 1367, and 15 U.S.C. §1692k.
3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and 28 U.S.C. 1367 grants this court supplemental jurisdiction over the state claims contained within.
4. Venue and personal jurisdiction in this District are proper because Defendant does or transacts business within this District, and a material portion of the events at issue occurred in this District.

## PARTIES

5. Plaintiff is a natural person residing in Tyler, Smith County, Texas.
6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3).
7. Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6).
9. Defendant attempted to collect a consumer debt from Plaintiff.
10. Defendant is a collection agency located in Renton, King County, Washington.
11. Defendant is a business entity engaged in the collection of debt within the State of Texas.
12. Defendant’s business includes, but is not limited to, collecting on unpaid, outstanding account balances.
13. The principal purpose of Defendant’s business is the collection of debts allegedly owed to third parties.
14. Defendant regularly collects, or attempts to collect, debts allegedly owed to third parties.
15. During the course of its attempts to collect debts allegedly owed to third parties, Defendant

1 sends to alleged debtors bills, statements, and/or other correspondence, via the mail and/or  
2 electronic mail, and initiates contact with alleged debtors via various means of  
3 telecommunication, such as by telephone and facsimile.

4 16. Defendant acted through its agents, employees, officers, members, directors, heirs,  
5 successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

6 **FACTUAL ALLEGATIONS**

7 17. Defendant is attempting to collect a consumer debt from Plaintiff

8 18. The alleged debt owed arises from transactions for personal, family, and household  
9 purposes.

10 19. In or around November 2014, Defendant began calling Plaintiff on Plaintiff's cellular  
11 telephone at 903-573-62xx.

12 20. Defendant calls Plaintiff from 318-703-5038, 318-703-5014, 318-703-1343, which are  
13 Defendant's telephone numbers.

14 21. Plaintiff has answered several of Defendant's collection calls to his cell phone.

15 22. Upon answering Defendant's phone calls, there is a long pause before Plaintiff is connected  
16 with a live collector.

17 23. During the conversations with Defendant's collectors, Defendants collectors have asked to  
18 speak with a "Lawson Laut."

19 24. Plaintiff has informed Defendant's collectors several times that they have the wrong  
20 number.

21 25. Defendant's collectors have apologized and informed Plaintiff that they would remove his  
22 number.  
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25

1 26. During at least three (3) separate conversations with Defendant's collectors, Plaintiff has  
2 told Defendant to remove his cell phone number from their list because it is not associated  
3 with a "Lawson Laut."

4 27. Plaintiff had these conversations with Defendant's collectors in or around January of 2014,  
5 on or about February 24, 2015, and on or about March 11, 2015.

6 28. Regardless of these conversations, and being told that Defendant's collectors are calling  
7 the wrong number, Defendant continues to place collection calls to Plaintiff in an attempt  
8 to collect on the alleged debt.

9 **COUNT I**  
10 **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

11 29. Defendant violated the FDCPA based on the following:

- 12 a. Defendant violated §1692d of the FDCPA by engaging in conduct that the natural  
13 consequences of which was to harass, oppress, and abuse Plaintiff in connection  
14 with the collection of an alleged debt, when Defendant continued to call looking  
15 for "Lawson Laut" after being told that Defendant has the wrong number and to  
16 remove Plaintiff's cell phone from Defendant's list; and  
17 b. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring or  
18 engaging any person in telephone conversation repeatedly or continuously with  
19 intent to annoy, abuse, or harass any person at the called number, when Defendant  
20 continued to call Plaintiff looking for "Lawson Laut" after being told that  
21 Defendant has the wrong number and to remove Plaintiff's cell phone from  
22 Defendant's list.  
23

24 WHEREFORE, Plaintiff, BRETT THOMAS, respectfully requests judgment be entered  
25 against Defendant, CONVERGENT OUTSOURCING, INC., for the following:

PLAINTIFF'S COMPLAINT

1 30. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15  
2 U.S.C. 1692k;

3 31. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,  
4 15 U.S.C. 1692k; and

5 32. Any other relief that this Honorable Court deems appropriate.

6 DATED: June 8, 2015

RESPECTFULLY SUBMITTED,

7 By: /s/Sharon D. Cousineau

8 Sharon D. Cousineau  
9 Samwel Cousineau, PC  
10 700 West Evergreen Blvd.  
11 Vancouver, WA 98660  
12 Tel. 360-750-3789  
13 Fax 360-750-3788  
14 sdcousineau@gmail.com  
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